

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:23-CR-00192-M-RN-1

UNITED STATES OF AMERICA

v.

ERIC C. WELTON

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FIRST MOTION TO EXTEND TIME
TO FILE PRETRIAL MOTIONS AND SECOND
MOTION TO CONTINUE ARRAIGNMENT

NOW COMES Eric C. Welton, by and through the undersigned counsel, and moves the Court to extend the time for filing pretrial motions for a period of 14 days and to continue the arraignment in this matter from March 13, 2024, and, in support thereof, shows unto the Court the following:

1. Upon the motion of Welton, following the withdrawal of his prior retained counsel, the time for filing pretrial motions was re-set for February 23, 2024 (D.E. 41). Welton's arraignment was continued to the March 12, 2024 term and has now been set for March 13, 2024 (Docket Text on February 23, 2024).

2. Since his appearance in this matter on December 18, 2024, the undersigned counsel has received and reviewed discovery materials from the government, including materials in the government's original production and additional materials requested by Welton, and has had numerous in-person and video meetings with Welton to review the discovery materials and to discuss the filing of various pretrial motions.

3. Due to family emergencies involving the undersigned's 81-year old mother over the past two weeks, one of which necessitated the cancelling of a scheduled meeting with Welton on February 22, 2024, and current professional obligations, the undersigned has not had sufficient time to consider and complete discussions with Welton regarding the filing of pretrial motions in this matter.

Under the above circumstances, Welton requests that the time for filing pretrial motions be extended for a period of 14 days, to March 8, 2024, and that the arraignment in this matter be continued from March 13, 2024 to allow time for the government to respond to any pretrial motions and for the Court to rule on the same.

4. The undersigned has contacted AUSA Lori B. Warlick and been advised the government does not object to the instant request.

5. Welton agrees that the ends of justice served by the granting of this motion outweigh his best interests and those of the public in a speedy trial and that the period of delay occasioned by the granting of this motion should be excluded in computing the time in which the trial must commence, pursuant to 18 U.S.C. §§ 3161(b)(1)(D) and (h)(7).

WHEREFORE, for the reasons set forth above, Welton respectfully requests the Court extend the time for filing pretrial motions to March 8, 2024, with the government's response being filed by March 22, 2024, and that the arraignment be continued to a term of court in April 2024 or thereafter, in the court's discretion.

Respectfully submitted, this the 23rd day of February, 2024.

SCOTT L. WILKINSON & ASSOCIATES, P.C.

BY: /s/ Scott L. Wilkinson
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CERTIFICATE OF SERVICE

I hereby certify that I have, on this the 23rd day of February, 2024, electronically filed the foregoing Motion with the Clerk of Court using CM/ECF system which will send notification of the same to the United States, as follows:

Lori B. Warlick
Assistant United States Attorney

/s/ Scott L. Wilkinson
CJA Appointed Counsel for Eric C. Welton